



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Meguid, Michael

Examiner: Hama, Joanne, Ph.D.

Serial No. 10/802,996

Art Unit: 1632

Filed: 03/07/2004

Docket No. RFSUNY 3673

For: ANIMAL WITH SURGICALLY MODIFIED GASTROINTESTINAL  
TRACT AND METHOD FOR STUDYING OBESITY

considered  
on  
1/9/05

DECLARATION UNDER 37 C.F.R. Section 1.132

I, Michael Meguid, M.D., Ph.D. declare and say:

1. I am the Inventor in the above-identified patent application.
2. I am a citizen of the United States of America and I reside at 248 Oarlock Circle, East Syracuse, New York 13057.
3. I am a Professor of Neuroscience and Surgery and Vice Chair of Surgical Research in the Department of Surgery of the Upstate Medical University at the University Hospital, at 750 E. Adams Street, Syracuse, NY 13210. I have held this position at all times relevant to the statements made hereinafter.
4. In the spring of 1999, I alone conceived of the research whose design and findings are the subject matter of the reference *Gastric Bypass Model in the Obese Rat to Study Metabolic Mechanisms of Weight Loss*, (2002, Journal of Surgical Research, 107: 56-63), cited by the Examiner herein as "Xu, et al."
5. In order to obtain funding for this research, I submitted grant applications, in which I am identified as the principal investigator, to the entities whose support is acknowledged in Xu, et al. by the statement: